

COPY

**STATE OF MISSISSIPPI
OFFICE OF THE COMMISSIONER OF INSURANCE**

COMMISSIONER OF INSURANCE

PETITIONER

VS.

CAUSE NO. 09-5944

VICTOR QUINN

RESPONDENT

ORDER

THIS CAUSE came on for hearing before the Commissioner of Insurance of the State of Mississippi, sitting in a special session in the offices of the Commissioner of Insurance of the State of Mississippi, 10th Floor, Woolfolk State Office Building, 501 North West Street, Jackson, Hinds County, Mississippi on Tuesday, August 18, 2009, at 2:00 p.m. on the Notice of Hearing and Statement of Charges filed against Victor Quinn ("Respondent"), to hear evidence concerning said complaint. Having received notice of the hearing, the Respondent appeared and gave testimony. Kimberly Causey, Special Assistant Attorney General, represented the Department. Hearing Officer Aaron Sisk took testimony and accepted evidence in this matter. Based upon the evidence and testimony, and upon the recommendation given by the Hearing Officer, the Commissioner makes the following Findings of Fact and Conclusions of Law, to-wit:

STATEMENT OF CHARGES

That the Respondent was charged with the following violations of law in the Notice of Hearing and Statement of Charges issued September 24, 2007:

- Miss. Code Ann. Section 83-17-71(1)(b) that such insurance producer has violated any insurance laws, or violated any regulation, subpoena or order of the commissioner;

- Miss. Code Ann. Section 83-17-71(1)(d) that such insurance producer has improperly withheld misappropriated or converted any monies or properties received in the course of doing insurance business; and,
- Miss. Code Ann. Section 83-17-71(1)(h) that such insurance producer has used fraudulent, coercive or dishonest practices or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business.

NOTICE AND HEARING

I.

That on or about July 16, 2009, the Commissioner of Insurance of the State of Mississippi, or his appointee, pursuant to Miss. Code Ann. § 83-17-71 (Supp. 2008), gave the required notice to the Respondent of the Commissioner's intention to hold a hearing for the purpose of reviewing the status of Respondent's Privilege License to operate as an Insurance Producer in the State of Mississippi, to revoke any current producer licenses the Respondent may hold, and to deny the Respondent's application for a resident legal agent license.

II.

That said Notice of Hearing and Statement of Charges was sent to Respondent by certified mail, return receipt requested, in accordance with Miss. Code Ann. § 83-17-71 (Supp. 2008), at the address Respondent provided to the Licensing Division of the Mississippi Department of Insurance.

III.

That pursuant to said Notice, a hearing was scheduled before the Commissioner of Insurance of the State of Mississippi, for 2:00 p.m., on Tuesday, August 18, 2009.

FINDINGS OF FACT

AFTER CONSIDERING all of the evidence presented, the Commissioner of Insurance makes the following Findings of Fact:

IV.

The Respondent did receive \$4345.44 in payments from several policyholders for payments on Union National Life Insurance Company policies. Although the monies were received by Respondent, the monies were not forwarded to the insurance company, causing the policyholders to not receive credit for the premiums they paid.

V.

The Respondent used fraudulent, coercive or dishonest practices as an insurance producer by taking premiums from the policyholders and failing to forward said monies to the insurance company, causing the policyholders to not receive credit for the premiums they paid.

CONCLUSIONS OF LAW

IN LIGHT OF THE AFOREMENTIONED Findings of Fact, the Commissioner of Insurance finds that Respondent, Victor Quinn, has committed the following violations:

VI.

That the Respondent, Victor Quinn, has violated the provisions of Miss. Code Ann. § 83-17-71(1)(d) (Supp. 2008), by improperly withholding misappropriated or converted monies or properties received in the course of doing insurance business, in the commission of the acts that have been more particularly described herein in Paragraph IV. of this Order.

VII.

That the Respondent, Victor Quinn, has violated the provisions of Miss. Code Ann. § 83-17-

71(1)(h) (Supp. 2008) by using fraudulent, coercive or dishonest practices or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business, in the commission of the acts that have been more particularly described herein in Paragraphs IV. and V. of this Order.

ORDER

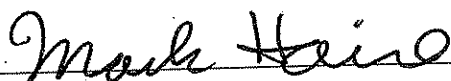
IT IS, THEREFORE, ORDERED that the charges previously filed herein against the Respondent, Victor Quinn, should be and the same are hereby sustained.

IT IS FURTHER ORDERED, the privilege license of Respondent, Victor Quinn, to act as an insurance producer in the State of Mississippi is hereby revoked.

IT IS FURTHER ORDERED, the resident legal agent license application submitted by Respondent on February 20, 2009, is hereby denied.

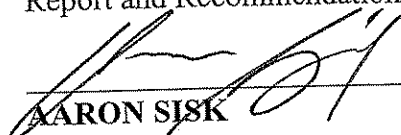
Should the Respondent wish to appeal the Order of the Commissioner, he may follow the procedure set forth in Miss. Code Ann. § 83-17-83 (Supp. 2008).

SO ORDERED, this the 28th day of August, 2009.



MARK HAIRE
DEPUTY COMMISSIONER OF INSURANCE
STATE OF MISSISSIPPI

Report and Recommendation Submitted by:



AARON SISK
HEARING OFFICER